

DEPARTMENT OF THE CORPORATION COUNSEL 205

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Attorneys for Defendants

CARLTON HELM, CHRISTINA WILLIAMS, KELLY PAUOLE, JAMIE WINFREY,
HAROLD MANAOIS, KAENA BROWN AND COUNTY OF MAUI

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

BARBARA KALANIKIEKIE KAAPUNI; JON)
HANS KAAPUNI, SR., PAMELA)
NOHOLANI KAAPUNI, JON HANS)
KAAPUNI, JR., FALLON KALANIKIEKIE)
KAAPUNI, and TYRAH NOHOLANI)
KAAPUNI by her best friend JON)
HANS KAAPPUNI, SR.,)

Plaintiffs,)

vs.)

CARLTON HELM, in his individual)
capacity; STAG SAGARIO, in his)
individual capacity, CHRISTINA)
WILLIAMS, in her individual)
capacity, KELLY ARLOS, in his)
individual capacity, JAMIE)
WINFREY, in her individual)
capacity, HAROLD MANAOIS, in his)
individual capacity, KEANA BROWN,)
in her individual capacity, and)
the COUNTY OF MAUI,)

Defendants.)

CIVIL NO CV-04-00449-SOM-LEK

DEFENDANTS CARLTON HELM,
CHRISTINA WILLIAMS, KELLY
PAUOLE, JAMIE WINFREY,
HAROLD MANAOIS, KAENA BROWN
AND COUNTY OF MAUI'S PROPOSED
SPECIAL VOIR DIRE; CERTIFICATE
OF SERVICE

Trial Date: June 14, 2006

Time: 9:00 a.m.

Judge: Hon. Susan Mollway

**CARLTON HELM, CHRISTINA WILLIAMS, KELLY PAUOLE,
JAMIE WINFREY, HAROLD MANAOIS, KAENA BROWN
AND COUNTY OF MAUI'S PROPOSED SPECIAL VOIR DIRE**

Defendants CARLTON HELM, CHRISTINA WILLIAMS, KELLY PAUOLE, JAMIE WINFREY, HAROLD MANAOIS, KAENA BROWN AND COUNTY OF MAUI ("COUNTY DEFENDANTS"), by and through their attorneys, Brian T. Moto, Corporation Counsel, Moana M. Lutey and Laureen L. Martin, Deputies Corporation Counsel, hereby request that the Court ask the following proposed special voir dire:

1. Molokai is a small community. Has anyone ever lived on Molokai?
 - a. If yes, for how long?
 - b. If yes, do you know any of the parties?
2. Has anyone ever been arrested? If yes, for what offense(s)?
3. Does anyone have any opinion regarding the Maui Police Department or its officers?
4. Has anyone ever had their home searched by the police?
5. Has anyone had problems with the County of Maui?
6. There is no dispute that a door in the Plaintiffs' home was broken by the police officers in order to execute the search warrant. The law allows the police to break a door if they announce their presence and their intent to search prior to breaking the door. Is there anyone who would have a problem ruling in favor of the defense if the police properly announced themselves?

DATED: Wailuku, Maui, Hawaii, June 6, 2006.

BRIAN T. MOTO
Corporation Counsel
Attorney for Defendant
COUNTY OF MAUI

By /s/Moana M. Lutey
MOANA M. LUTEY
Deputy Corporation Counsel

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BARBARA KALANIKIEKIE KAAPUNI; JON) CIVIL NO CV-04-00449-SOM-LEK

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KAAPUNI by her best friend JON)

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capacity, KELLY ARLOS, in his)

individual capacity, JAMIE)

WINFREY, in her individual)

capacity, HAROLD MANAOIS, in his)

individual capacity, KEANA BROWN,)

in her individual capacity, and)

the COUNTY OF MAUI,)

Defendants.)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of Defendants Carlton Helm, Christina Williams, Kelly Pauole, Jamie Winfrey, Harold Manaois, Kaena Brown and County of Maui's Proposed Special Voir Dire, was duly served on June 6, 2006, upon the following party, by email:

Arthur E. Ross, Esq.
126 Queen Street, Suite 210
Honolulu, HI 96813

I HEREBY CERTIFY that a copy of Defendants Carlton Helm, Christina Williams, Kelly Pauole, Jamie Winfrey, Harold Manaois, Kaena Brown and County of Maui's Proposed Special Voir Dire, was duly served on June 6, 2006, upon the following party, by depositing same in the U.S. Mail, at their last known addresses:

Rory Soares Toomey, Esq.
1088 Bishop Street, Suite 1004
Honolulu, HI 96813
(Attorneys for Plaintiffs)

DATED: Wailuku, Maui, Hawaii, June 6, 2006.

/s/ Moana M. Lutey
MOANA M. LUTEY
Attorney for Defendants